IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES EAKLE, :

Plaintiff : CIVIL NO. 4:CV-04-2040

.

v. : (Judge Jones)

:

TENNIS, Superintendent, et al.,

:

Defendants

<u>ORDER</u>

January 9, 2006

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Plaintiff's case was closed on September 16, 2005. However, Plaintiff's Motion to Depose Defendants (doc. 22) was never ruled on.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

Plaintiff's Motion to Depose Defendants (doc. 22), filed on September 20,
2005, is DISMISSED as moot.

John E. Jones III

United States District Judge